



SCHOOL DISTRICT OF WISCONSIN DELLS

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September 3, 2002

DOCKET FILE COPY ORIGINAL

RECEIVED & INSPECTED

SEP 9 - 2002

FCC - MAILROOM

FCC, Office of the Secretary
445-12th Street SW
Room TW-A325
Washington, DC 20554

RE: CC Docket Nos. 96-45 and 97-21
Application # 245800

To Whom It May Concern:

The USAC has denied our request to change our Start Date to July 1, 2001. We request that FCC reconsider the decision of USAC.

The School District of Wisconsin Dells is requesting FCC review the facts outlined in the attached letter submitted to USAC dated January 11, 2002. Also enclosed is the Decision on the appeal for the above Application.

Your reconsideration of the decision by USAC to change our start dates to 7/1/01 from 10/28/01 is greatly appreciated. If you have any questions you can call 608.254.7769 x24. Thank you in advance for your cooperation.

Sincerely,

Ann Gissal
Albert King
School District of Wisconsin Dells

Enclosures

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List ABCDE



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January 11, 2002

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

To Whom It May Concern:

This letter is to appeal the decision letters dated 12/21/01 and postmarked 12/26/01. Attached to this cover letter is the information required for the 486 forms in question. All of the original 486 forms in question were postmarked 09/28/01. USAC returned our 486 forms back to us on 10/22/01 because block 4 item #11 was not checked. We returned the corrected forms on 10/29/01.

The School District of Wisconsin Dells is appealing this decision based on two facts.

First, the original 486 forms were received by USAC well within the filing window. USAC took 22 days to respond to the original filing of the 486 forms. Yet we responded to your 486 return letter within 5 days. In addition to our quick response time your return letter did not indicate that the original submission date would not be honored.

Second, block 4 item #11 on the 486 has three choices. Any choice in block 4 would have been valid on the majority of these 486 forms and would not affect the funding commitment. If the forms had been reviewed it would have been apparent that they were for telecommunication services which do not require CIPA compliance. A simple phone call could have corrected this issue on the majority of our requests. In regard to the 486 forms that did not apply to telecommunication services, either of the two applicable choices was informational only and would not have affected the funding commitment decision.

The School District of Wisconsin Dells understands the huge task that USAC is charged with. We also understand that USAC has processing requirements and deadlines that must be kept. We made an error that was a technicality and would not have changed the funding commitment on any of our 486 forms. We appreciate the assistance you have given us negotiating the complicated forms and deadlines required. Thank you in advance for your consideration of a reversal of the funding start date decision.

Regards,

Ann Gissal

Albert King
School District of Wisconsin Dells

INFORMATION FOR APPEAL LETTER DATED January 11, 2001

Contact Person: Albert King
 Contact Person Address: 300 Vine Street, Wisconsin Dells, WI 53965
 Contact Person Phone: 608.253.2468 Email: aking@sdwd.k12.wi.us

Appeal is for Funding Year 4: 07/01/2001 - 06/30/2002 USAC Notication Letter Dated 12/21/01

Applicant Name	Form 486 Identifier Number	Form 471 Application Number	Funding Request Number	Billied Entity Number	Original Start Date	Original Funding Commitment	Appeal Start Date	Appeal Funding Commitment
Spring Hill Elementary and Middle School	166296	245627	594088	221857	7/1/2001	\$ 5,842.44	10/29/2001	\$ 4,381.83
		245627	594237	221857	7/1/2001	\$ 161.64	10/29/2001	\$ 121.23
Lake Delton Elementary School	166277	244461	589473	61955	7/1/2001	\$ 3,162.52	10/29/2001	\$ 2,371.89
		245387	593384	61955	7/1/2001	\$ 1,235.56	10/29/2001	\$ 926.67
		245387	593453	61955	7/1/2001	\$ 84.00	10/29/2001	\$ 63.00
Wisconsin Dells School Dist	166204	241524	574149	133097	7/1/2001	\$ 6,061.74	10/29/2001	\$ 4,546.31
		245800	596693	133097	7/1/2001	\$ 3,457.74	10/29/2001	\$ 2,593.31
		245800	596834	133097	7/1/2001	\$ 372.00	10/29/2001	\$ 279.00
Wisconsin Dells High School	166322	245492	593665	62010	7/1/2001	\$ 4,773.60	10/29/2001	\$ 3,580.20
		245492	593717	62010	7/1/2001	\$ 712.80	10/29/2001	\$ 534.60
Neenah Creek Elementary School	166314	244678	590095	221856	7/1/2001	\$ 2,100.00	10/29/2001	\$ 1,575.00
		244826	593192	221856	7/1/2001	\$ 1,124.34	10/29/2001	\$ 843.26
		244826	593219	221856	7/1/2001	\$ 168.00	10/29/2001	\$ 126.00



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2001-2002

July 29, 2002

Albert King
School District of Wisconsin Dells
300 Vine Street
Wisconsin Dells, WI 53965

Re: Billed Entity Number: 133097
 471 Application Number: 245800
 Funding Request Number(s): 596693, 596834
 Your Correspondence Dated: January 11, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Five Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 596693, 596834
Decision on Appeal: **Denied in full**
Explanation:

- You have stated on appeal that the original Forms 486 in question were postmarked on September 28, 2001. USAC then returned the forms back to you on October 22, 2001 because Block 4, Item 11 was left blank. You state that the forms were then corrected and submitted back to the SLD on October 29, 2001. You state that the original forms although Block 4, Item 11 was left blank were submitted to the SLD well within the CIPA filing window and that USAC took twenty-two days to respond to the original submission needed corrections. You also state that with regard to the Block 4, Item 11 being blank on the original submission, that any choice in Block 4 would have been valid on the majority of the forms and would not affect the funding commitment. And if the forms had been reviewed by SLD it would have been apparent that they were for Telecommunications Services, which do not require CIPA compliance. You state

that in regard to the forms that did not apply to Telecommunications Services, either of the two applicable choices was informational only and would not have affected the funding commitment decision. You close your appeal by stating that you had made an error (Block 4, Item 11 being blank) that was a technicality and would not have changed the funding commitment on any of the submitted 486 forms. You request that the SLD reverse the service start date revision.

- If the date of your Funding Commitment Decision Letter was on or before October 28, 2001 and the Service Start Date you reported on your Form 486 was on or before October 28, 2001, your Form 486 must have been received or postmarked on or before October 28, 2001. The date of your Funding Commitment Decision Letter for FCC Form 471 #245800 was July 23, 2001. The Service Start Date you reported on your Form 486 was July 1, 2001. The postmark date of your Form 486 was October 29, 2001. Since your FCC Form 486 was postmarked after October 28, 2001, the SLD has revised your Service Start Date to your FCC Form 486 postmark date and reduced your funding commitment amount based on the revised Service Start Date.
- FCC rules provide that in Funding Year 2001, the FCC Form 486 must be postmarked no later than October 28, 2001 and that for subsequent funding years, the FCC Form 486 certifications must be provided to the Administrator in accordance with existing program guidelines established by the Administrator. See 47 C.F.R. § 54.520(g). Existing program guidelines are explained in the Funding Commitment Decision letter. Your Funding Year 4 Funding Commitment Decision letter notified you that "[I]f your services start after October 28, 2001, your Form 486 must be postmarked no later than 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding." See Funding Commitment Decision Letter (Funding Year 4: 07/01/2001 – 06/30/2002), page 2. Since your FCC Form 486 was postmarked more than 120 days after the Service Start Date you indicated on your FCC Form 486, SLD has reduced your funding.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, www.sl.universalservice.org.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company